

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

14 CR 399 (ENV)

-against-

ABRAXAS J. DISCALA, et al.

NOTICE OF MOTION

Defendants

PLEASE TAKE NOTICE that upon the Declaration of Charles A. Ross dated September 15, 2017, the exhibits annexed thereto, and the Memorandum of Law dated September 15, 2017, Defendant Abraxas Discala will move this Court, before the Honorable Eric N. Vitaliano, United States District Judge, at the United States Courthouse for the Eastern District of New York, located at 225 Cadman Plaza East, Brooklyn, New York, 11201, to suppress the fruits of the two-month long wiretap of Mr. Discala's cellular telephone and the search warrant of the offices of OmniView Capital Advisors, or for an evidentiary hearing pursuant to *Franks v. Delaware*, 438 U.S. 154 (1978), and for such other and further relief as this Court may deem proper.

Dated: New York, New York
September 15, 2017

Charles Pickow

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